

## REMARKS

Claims 1-3, 5-7, 9-11, 13-15, 17-23, 25 and 28-46 are pending in the present application.

Claim 28 is allowed.

Claims 1 and 10 are amended.

Claims 4, 8, 12, 16, 24, 26 and 27 are cancelled.

Claims 1-3, 5-7 and 9-11 are under examination. Claims 13-15, 17-23, 25 and 29-33 are currently withdrawn pending completion of examination of the elected species. Upon allowance of the elected species the withdrawn claims will be reentered.

Claims 34-46 are newly entered.

No new matter is added as a result of the amendments.

The claims are believed to be allowable for the reasons set forth herein. Notice thereof is respectfully requested.

## Claim Rejections - 35 USC § 103

Claims 1-7 and 9-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Satou et al. (6,808,768) in view of Avar (4,730,018).

Applicants note that Avar is USP 4,730,017. USP 4,730,018 does not appear to be related. Applicants will proceed under

the understanding that Avar USP 4,730,017 is the intended reference of record.

Satou is cited as disclosing porous inorganic particles that can be silica, alumina or other metal compounds and at least one ink absorbing layer containing the disclosed particle. Satou is specific to ink jet media. Avar is cited as disclosing particular light stabilizers. It is the position of the Office that one of skill in the art would combine the teachings of Satou and Avar to achieve light stability. Applicants respectfully disagree.

Avar teaches light stabilizers particularly for automotive paint. As set forth in col. 8, lines 16-18 the compound of Avar is included to protect against degradation of the polymeric materials by light. As further detailed in col. 10 lines 4-18, stabilizing the polymeric overcoat is important in automotive finishes due to the reflective metallic particles embedded in the coating and the increase in radiation caused thereby.

The Office has incorrectly equated the light-stabilization of Avar with light-fastness as described in the present application. In Avar the light-stabilization is protection against breakdown (or yellowing) of the polymeric overcoat. In the present invention light-fastness is related to degradation of an ink which is applied to a surface. With ink jet media

there is minimal concern for the degradation of the polymer and with automotive finishes there is no concern for protecting an ink material applied to the surface. One of skill in the art would have no basis for considering Avar as an additive to an ink jet media since there is no indication in the art that a material which stabilizes against polymer degradation will also stabilize against ink decoloration.

Absent the teachings of the instant invention one of skill in the art would have no basis for considering light fastness of the ink to be an issue for which a solution is sought. Satou does not mention this as a problem in ink jet media. It is only in hindsight based on the present application that one of skill in the art would be aware of the problem of ink degradation. Even if this problem is presented in hindsight it is clear from the teachings of the present invention that the light fastness of concern is that associated with degradation of the ink, not binder degradation.

Avar teaches a solution to a problem which is not taught in the references. There is neither suggestion, nor motivation, for incorporating a material which protects against degradation of a binder into a material which does not have an exhibited problem with binder degradation. Even if one of skill in the art is presented with the idea that ink degradation is occurring

they would still not consider the use of a material which is incorporated into a non-porous media which is only described as protecting against polymer degradation.

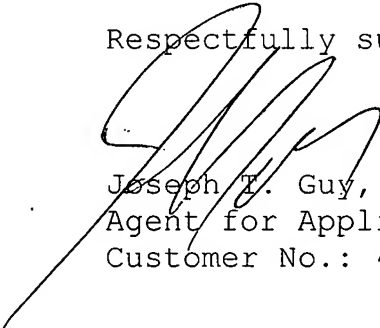
In summary, the Office has been taught by the instant application that ink degradation in a porous media is a problem. The Office has also been taught that certain materials mitigate the problem of ink degradation. The Office has then, based on this knowledge, located the materials in an application which is totally unrelated to the ink degradation. Based on this unrelated application the Office has then considered it to be obvious to combine materials which serve a different function into an ink jet media to solve a previously unrealized problem. Applicants respectfully submit that such hindsight reconstruction is an improper basis for a rejection.

Applicants respectfully submit that the rejection of Claims 1-7 and 9-11 under 35 U.S.C. 103(a) as being unpatentable over Satou et al. in view of Avar is an improper hindsight reconstruction.

### CONCLUSIONS

Claims 1-3, 5-7, 9-11, 13-15, 17-23, 25 and 28-46 are pending in the present application. All claims are believed to be in condition for allowance. Notice thereof is respectfully requested.

Respectfully submitted,



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May 7, 2007